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SENATE BILL 304

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO MOTOR VEHICLE CRIMES; EXPANDING THE OFFENSES
CONSIDERED TO BE RECKLESS DRIVING; AMENDING A SECTION OF THE
NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-8-113 NMSA 1978 (being Laws 1978,
Chapter 35, Section 521, as amended) is amended to read:

"66-8-113. RECKLESS DRIVING. --

A. ~~[Any]~~ A person who drives ~~[any]~~ a vehicle
carelessly and heedlessly in willful or wanton disregard of the
rights or safety of others and without due caution and
circumspection and at a speed or in a manner so as to endanger
or be likely to endanger any person or property is guilty of
reckless driving.

B. A person who operates a vehicle in a careless,

underscored material = new
[bracketed material] = delete

1 inattentive or imprudent manner as set forth in Section
2 66-8-114 NMSA 1978 that results in the death or bodily injury
3 of another person is guilty of reckless driving.

4 [B-] C. Every person convicted of reckless driving
5 shall be punished [~~notwithstanding the provisions of Section~~
6 ~~31-18-13 NMSA 1978~~] upon a first conviction by imprisonment for
7 not less than five days [~~nor~~] or more than ninety days or by a
8 fine of not less than twenty-five dollars (\$25.00) [~~nor~~] or
9 more than one hundred dollars (\$100), or both, and on a second
10 or subsequent conviction by imprisonment for not less than ten
11 days [~~nor~~] or more than six months or by a fine of not less
12 than fifty dollars (\$50.00) [~~nor~~] or more than one thousand
13 dollars (\$1,000), or both.

14 [C-] D. Upon conviction of violation of this
15 section, the director may suspend the license or permit to
16 drive and any nonresident operating privilege for not to exceed
17 ninety days. "

18 Section 2. EFFECTIVE DATE. --The effective date of the
19 provisions of this act is July 1, 2003.